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General Assembly

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Fifty-eighth session
Agenda item 73 (*b*)

Resolution adopted by the General Assembly

[*on the report of the First Committee (A/58/462)*]

58/40. Prohibition of the dumping of radioactive wastes

The General Assembly,

Bearing in mind resolutions CM/Res.1153 (XLVIII) of 1988[1] and CM/Res.1225 (L) of 1989,[2] adopted by the Council of Ministers of the Organization of African Unity, concerning the dumping of nuclear and industrial wastes in Africa,

Welcoming resolution GC(XXXIV)/RES/530 establishing a Code of Practice on the International Transboundary Movement of Radioactive Waste, adopted on 21 September 1990 by the General Conference of the International Atomic Energy Agency at its thirty-fourth regular session,[3]

Taking note of the commitment by the participants in the Summit on Nuclear Safety and Security, held in Moscow on 19 and 20 April 1996, to ban the dumping at sea of radioactive wastes,[4]

Considering its resolution 2602 C (XXIV) of 16 December 1969, in which it requested the Conference of the Committee on Disarmament,[5] inter alia, to consider effective methods of control against the use of radiological methods of warfare,

Aware of the potential hazards underlying any use of radioactive wastes that would constitute radiological warfare and its implications for regional and international security, in particular for the security of developing countries,

Recalling all its resolutions on the matter since its forty-third session in 1988, including its resolution 51/45 J of 10 December 1996,

Also recalling resolution GC(45)/RES/10 adopted by consensus on 21 September 2001 by the General Conference of the International Atomic Energy

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[1] See A/43/398, annex I.

[2] See A/44/603, annex I.

[3] See International Atomic Energy Agency, *Resolutions and Other Decisions of the General Conference, Thirty-fourth Regular Session, 17–21 September 1990* (GC(XXXIV)/RESOLUTIONS (1990)).

[4] A/51/131, annex I, para. 20.

[5] The Conference of the Committee on Disarmament became the Committee on Disarmament as from the tenth special session of the General Assembly. The Committee on Disarmament was redesignated the Conference on Disarmament as from 7 February 1984.

Agency at its forty-fifth regular session,[6] in which States shipping radioactive materials are invited to provide, as appropriate, assurances to concerned States, upon their request, that the national regulations of the shipping State take into account the Agency's transport regulations and to provide them with relevant information relating to the shipment of such materials; the information provided should in no case be contradictory to the measures of physical security and safety,

Welcoming the adoption at Vienna, on 5 September 1997, of the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management,[7] as recommended by the participants at the Summit on Nuclear Safety and Security,

Noting with satisfaction that the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management entered into force on 18 June 2001,

Noting that the first Review Meeting of the Contracting Parties to the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management was convened in Vienna from 3 to 14 November 2003,

Desirous of promoting the implementation of paragraph 76 of the Final Document of the Tenth Special Session of the General Assembly,[8] the first special session devoted to disarmament,

1. *Takes note* of the part of the report of the Conference on Disarmament relating to a future convention on the prohibition of radiological weapons;[9]

2. *Expresses grave concern* regarding any use of nuclear wastes that would constitute radiological warfare and have grave implications for the national security of all States;

3. *Calls upon* all States to take appropriate measures with a view to preventing any dumping of nuclear or radioactive wastes that would infringe upon the sovereignty of States;

4. *Requests* the Conference on Disarmament to take into account, in the negotiations for a convention on the prohibition of radiological weapons, radioactive wastes as part of the scope of such a convention;

5. *Also requests* the Conference on Disarmament to intensify efforts towards an early conclusion of such a convention and to include in its report to the General Assembly at its sixtieth session the progress recorded in the negotiations on this subject;

6. *Takes note* of resolution CM/Res.1356 (LIV) of 1991, adopted by the Council of Ministers of the Organization of African Unity,[10] on the Bamako Convention on the Ban on the Import of Hazardous Wastes into Africa and on the Control of Their Transboundary Movements within Africa;

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[6] See International Atomic Energy Agency, *Resolutions and Other Decisions of the General Conference, Forty-fifth Regular Session, 17-21 September 2001* (GC(45)/RES/DEC(2001)).

[7] See GOV/INF/821-GC(41)/INF/12 and Corr.1, appendix I.

[8] Resolution S-10/2.

[9] *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 27* (A/54/27), chap. III, sect. E.

[10] See A/46/390, annex I.

7. *Expresses the hope* that the effective implementation of the International Atomic Energy Agency Code of Practice on the International Transboundary Movement of Radioactive Waste will enhance the protection of all States from the dumping of radioactive wastes on their territories;

8. *Appeals* to all Member States that have not yet taken the necessary steps to become party to the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management[7] to do so as soon as possible;

9. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Prohibition of the dumping of radioactive wastes".

71st plenary meeting
8 December 2003